

**IC 25-37.5**

**ARTICLE 37.5. DEALERS IN VALUABLE METALS**

**IC 25-37.5-1**

**Chapter 1. Regulation of Dealers by State Police**

**IC 25-37.5-1-1**

**Definitions**

Sec. 1. (a) When used in this chapter, "valuable metal" means any product made of copper, copper alloy, brass, aluminum, or aluminum alloy that is readily used or useable by a public utility, railroad, county, city or state highway department, public or private school, or an institution of higher education.

(b) As used in this chapter, "valuable metal dealer" means any individual, firm, corporation, limited liability company, or partnership engaged in the business of purchasing and reselling valuable metal either at a permanently established place of business or in connection with a business of an itinerant nature, including junk shops, junk yards, junk stores, auto wreckers, scrap metal dealers or processors, salvage yards, collectors of or dealers in junk, and junk carts or trucks.

(c) As used in this chapter, "purchase" means acquiring a valuable metal product or products by a valuable metal dealer in a single transaction of one hundred dollars (\$100) or more for a consideration, but does not include purchases between scrap metal processing facilities (as defined in IC 8-12-1-3(d)).

*(Formerly: Acts 1971, P.L.380, SEC.1; Acts 1972, P.L.11, SEC.11.)  
As amended by P.L.145-1990, SEC.1; P.L.8-1993, SEC.403.*

**IC 25-37.5-1-2**

**Record of purchases; form; retaining and filing copies; notice to law enforcement agencies**

Sec. 2. (a) Except as provided in section 5 of this chapter, every valuable metal dealer in this state shall enter on forms provided by the state police department for each purchase of valuable metal the following information:

- (1) The name and address of the dealer.
- (2) The date and place of each purchase.
- (3) The name, address, age, driver's license number or Social Security number of the person or persons from whom the valuable metal was purchased.
- (4) The motor vehicle license number of the vehicle or conveyance on which the valuable metal was delivered to the dealer.
- (5) The price paid for the metal.
- (6) A description and weight of the valuable metal purchased.

(b) The completed form shall be kept in a separate book or register by the dealer and shall be retained for a period of two (2) years. Such book or register shall be made available for inspection by any law enforcement official at any time. Within twenty-four (24)

hours from the date of purchase of a valuable metal the valuable metal dealer shall notify the local law enforcement agency in writing or orally of the description of the purchase and the name of the individual who sold the product to the dealer. Notification is not required for such purchases if a bill of sale or other evidence of ownership is presented at the time of the sale of the product to the dealer from a public utility, railroad, county, city or state highway department, public or private school, or an institution of higher education.

*(Formerly: Acts 1971, P.L.380, SEC.1; Acts 1972, P.L.11, SEC.11.)  
As amended by P.L.145-1990, SEC.2.*

### **IC 25-37.5-1-3**

#### **Rule adoption; products list**

Sec. 3. The superintendent of the state police department may adopt rules under IC 4-22-2 as may be necessary to administer and enforce the provisions and intent of this chapter. The superintendent shall also prepare and distribute a list to each valuable metal dealer describing valuable metal products of interest to public utilities, railroads, county, city or state highway departments, public or private schools, or an institution of higher education.

*(Formerly: Acts 1971, P.L.380, SEC.1; Acts 1972, P.L.11, SEC.11.)  
As amended by Acts 1982, P.L.154, SEC.136; P.L.7-1987, SEC.134;  
P.L.145-1990, SEC.3.*

### **IC 25-37.5-1-4**

#### **Separation of purchases; inspection**

Sec. 4. Except as provided in section 5 of this chapter, every dealer shall hold each purchase of valuable metal requiring notification for at least five (5) working days from the date of notification:

- (1) at his regular place of business; and
- (2) separate and apart; so that it is readily identifiable from all other purchases. During this period, a dealer may not change the form of the valuable metal and shall permit any law enforcement officer to make inspection of the valuable metal purchased.

*(Formerly: Acts 1971, P.L.380, SEC.1; Acts 1972, P.L.11, SEC.11.)  
As amended by P.L.145-1990, SEC.4.*

### **IC 25-37.5-1-5**

#### **Exclusions**

Sec. 5. The provisions of sections 2 and 3 of this chapter do not apply to purchases from persons, firms, limited liability companies, or corporations regularly engaged in the business of manufacturing valuable metals, the business of selling valuable metals at retail or wholesale, to the purchase of one dealer from another or the purchase from persons, firms, limited liability companies, or corporations engaged in either the generation, transmission or distribution of electric energy or in telephone, telegraph and other communications

if such persons, firms, limited liability companies, or corporations at the time of purchase, provide the dealer with a bill of sale or other written evidence of title to the valuable metal.

*(Formerly: Acts 1971, P.L.380, SEC.1; Acts 1972, P.L.11, SEC.11.)  
As amended by P.L.8-1993, SEC.404.*

#### **IC 25-37.5-1-6**

##### **Forms**

Sec. 6. The state police department shall prepare the forms provided for in section 2 of this chapter, shall make a reasonable supply of the forms available at the office of the county sheriff of each county and shall provide the forms to any individual upon request.

*(Formerly: Acts 1971, P.L.380, SEC.1; Acts 1972, P.L.11, SEC.11.)  
As amended by Acts 1982, P.L.154, SEC.137.*

#### **IC 25-37.5-1-7**

##### **Violations**

Sec. 7. A dealer who fails to comply with this chapter commits a Class A infraction.

*(Formerly: Acts 1971, P.L.380, SEC.1; Acts 1972, P.L.11, SEC.11.)  
As amended by Acts 1978, P.L.2, SEC.2566; P.L.145-1990, SEC.5.*